

FOR  
THE  
RECORD

CONNECTICUT LEGAL RIGHTS PROJECT

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**TESTIMONY OF SALLY R. ZANGER, STAFF ATTORNEY  
HOUSING COMMITTEE PUBLIC HEARING MARCH 8, 2012  
RE: SB 94**

CLRP is a legal services organization that advocates for low-income individuals who have, or are perceived to have, psychiatric disabilities. We promote initiatives that integrate clients into the community. An important part of our work is protecting people's housing, which includes negotiating with landlords and representing tenants in summary process.

**Connecticut Legal Rights Project (CLRP) supports S.B. 94 and urges the Committee to revise the language of the bill as proposed.**

SB 94 proposes a slight change to Conn. Gen. Stat. Sec. 47a-23c, which is the part of the summary process statute that applies to tenants who are senior citizens or disabled who have landlords who own complexes of five or more units. Those tenants are protected from "no cause" evictions (when the lease has run out and the landlord chooses to rent to someone else.)<sup>1</sup> The proposal makes explicit that all people with disabilities are included in the protected group, not just those who are "physically disabled or blind."

Without that correction, the statute as it stands violates Article XXI of the Amendments to the Constitution of the State of Connecticut<sup>2</sup> as well as Americans with Disabilities Act.

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<sup>1</sup> Under C.G.S. 23c (b) (1), landlords can evict any tenant who does not pay rent, violates the lease or the tenant's responsibilities under the statute or creates a nuisance or a serious nuisance. Similarly, if the landlord intends to remove the unit from the rental market, or move into it him/herself, this provision does not apply. This statute requires a "good cause" eviction for the protected tenants.

<sup>2</sup> "Article fifth of the amendments to the constitution is amended to read as follows: No person shall be denied the equal protection of the law nor be subjected to segregation or discrimination in the exercise or enjoyment of his or her civil or political rights because of religion, race, color, ancestry, national origin, sex or physical or mental disability." Adopted November 28, 1984.

## Proposed Language for SB 94.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subdivision (1) of subsection (a) of section 47a-23c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

“(a) (1) Except as provided in subdivision (2) of this subsection, this section applies to any tenant who resides in a building or complex consisting of five or more separate dwelling units or who resides in a mobile manufactured home park and who is either: (A) Sixty-two years of age or older, or whose spouse, sibling, parent or grandparent is sixty-two years of age or older and permanently resides with that tenant, ~~or~~ (B) [blind, as defined in section 1-1f; or (C) physically disabled, as defined in section 1-1f] a person with a physical or mental disability, as defined in subdivision (8) of section 46a-64b, or whose spouse, sibling, child, parent or grandparent is a person with such a disability and permanently resides with that tenant, but only if such disability can be expected to result in death or to last for a continuous period of at least twelve months.”

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